

Message Text

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ACTION IO-11

INFO OCT-01 ARA-06 ISO-00 EB-07 L-03 TRSE-00 COME-00

CIEP-01 SSO-00 NSCE-00 USIE-00 INRE-00 EUR-12 OIC-02

AF-06 PM-04 NSC-05 SP-02 SS-15 CIAE-00 DODE-00 INR-07

NSAE-00 PA-01 PRS-01 AID-05 EA-07 NEA-10 STR-04 OMB-01

CEA-01 FTC-01 JUSE-00 /113 W
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O R 090005Z MAR 76

FM AMEMBASSY LIMA

TO SECSTATE WASHDC IMMEDIATE 9212

INFO USUN NEW YORK

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FOR EB - BOEKER; L - FELDMAN; TREAS - LANGE; COMMERCE - ARRILL;
CIEP - GRANFIELD

EO 11652: N/A

TAGS: OCON, EFIN, ECOSOC, PE

SUBJECT: UN COMMISSION ON TNC - CODE OF CONDUCT AND BRIBERY
AGREEMENT

1. AT WEO SESSION TODAY, POSITION WAS STRONGLY PRESENTED BY ROUGE
(FRANCE) THAT THE G-77 PAPER ON PRELIMINARY WORK RE CODE
OUGHT TO BE ACCEPTED AS WRITTEN. HE STATED THAT IT REPRESENTED HARD-
FOUGHT
COMPROMISE WITHIN G-77 AND THAT ANY SUGGESTIONS FOR CHANGE WOULD
OPEN IT UP TO REDRAFTING, WHICH COULD ONLY BE AGAINST OUR INTERESTS.
WITH SOME RESERVATIONS, THIS POINT OF VIEW GENERALLY SUPPORTED, AND
CONSENSUS OF WEO'S WAS THAT PAPER SHOULD BE SUPPORTED.

2. IN COMMISSION SESSION, SWEDISH DEL TOOK FLOOR TO SUPPORT
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PAPER BUT TO EMPHASIZE THAT PARA 1 SHOULD NOT DENIGRATE WORK ON

OTHER MATTERS THAN CODE, AND TO EXPRESS CONCERN RE TIMETABLE AS MENTIONED ABOVE. ALSO CONCERNED RE USE OF TERM "AD HOC " IN PARA 7. ITALY EXPRESSED VIEW THAT USUAL UN PHRASE RE "ALL STATES" IN PARA 3 BE FOOTNOTED. U.S. PUT FORTH POSITION OF GENERAL SUPPORT FOR PAPER, BUT WITH SEVERAL UNDERSTANDINGS AS TO WHAT WAS MEANT: THAT PARA 1 WOULD NOT RELEGATE WORK IN OTHER AREAS TO BACKGROUND; THAT VALUABLE WORK OF CENTRE AS EXEMPLIFIED IN DOCUMENTS BEFORE PRESENT SESSION OF COMMISSION SHOULD ENCOURAGE COMMISSION TO ALLOW FULL PARTICIPATION OF CENTRE AT ALL STAGES WORK ON CODE; THAT ADEQUATE TIME BE GIVEN TO ALLOW GOVERNMENTS TO FORMULATE THOUGHT-OUT POSITIONS; THAT NGO'S AS WELL AS STATES BE ALLOWED TO EXPRESS VIEWS; THAT PARA 7 NOT BE NARROWLY CONSTRUED AND THAT "EXPERTS" BE UNDERSTOOD TO BE PERSONS WITH EXPERTISE IN SPECIAL FIELDS SUCH AS ACCOUNTANCY WITHOUT PREJUDICE TO FULL PARTICIPATION OF PERSONS FROM BUSINESS, LABOR AND CONSUMER GROUPS AS STATED IN RES. 1913. ALSO SUGGESTED THAT CERTAIN MODALITIES COULD BE BETTER UNDERSTOOD AFTER COMMISSION HAD GONE THROUGH FULL PROGRAM OF WORK AT THIS SESSION.

3. USSR SUGGESTED IMMEDIATE ADOPTION OF G-77 PAPER. ARGENTINA GAVE SEVERAL INTERPRETATIONS -- THAT WORKING GROUP INTENDED TO BE OPEN-ENDED, THAT DEADLINES WERE DIFFICULT TO ESTABLISH BECAUSE OF DIFFERENT LEVELS OF FORMULATION OF VIEWS BY STATES AND THAT TIME HAD TO BE GIVEN FOR REGIONAL COMMISSIONS, SUCH AS IN AFRICA. INTENT WASTO EXPEDITE RATHER THAN DELAY. PERU STRESSED PRIORITY OF CODE BUT STRESSED THAT THIS WAS NOT INTENDED TO IMPEDE OTHER WORK. U.S. OPPOSED IMMEDIATE ADOPTION ON GROUND OF NECESSITY TO CONSIDER, HAVE INFORMAL CONSULTATIONS AND PUT PAPER IN CONTEXT.

4. ON BASIS ABOVE, USDEL INTENDS ACCEPT G-77 DRAFT ESSENTIALLY AS PRESENTED UNLESS INSTRUCTED OTHERWISE SOONEST.

5. COMMISSION THEN ADJOURNED FOR G-77 MEETING. AT THAT MEETING G-77 WILL BE DEBATING PAPER ON OTHER ASPECTS THAN PRESENT PAPER. WHILE PAPER NOT GIVEN TO USDEL, WE ARE ASSURED BY SEVERAL THAT IT WILL BE AS ACCEPTABLE AS PAPER ON CODE. COMMISSION TO HEAR EXPOSITION THIS PAPER TOMORROW AM.

6. RE U.S. PROPOSAL ON INTERNATIONAL AGREEMENT ON BRIBERY, FIGUERERO (ARGENTINA) INDICATED TO RUBIN G-77 REACTION AS BEING GENERALLY LIMITED OFFICIAL USE

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FAVORABLE BUT WORRIED ABOUT MANDATE OF THIS COMMISSION . FIGUERERO AWAITING INSTRUCTION BUT INDICATED THAT HIS VIEW PROBABLY WOULD BE APPROVED BUT WITH INITIATIVE TO BE TAKEN IN COMMISSION TO ASK

ECOSOC TO WORK OUT MORE SATISFACTORY PROCEDURE GIVEN WIDE SCOPE OF ISSUE.

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Message Attributes

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